



## COMPTROLLER ELLIOTT AUERBACH

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### A CALL FOR ACTION

#### **Comptroller Recommended Whistle Blower Legislation Three Months Ago**

KINGSTON, NY (June 08, 2009)... In March of 2009 newly elected Comptroller Elliott Auerbach urged the Ulster Legislature to adopt a Whistleblower Law to protect County employees and others from retaliation for reporting violations. "We previously issued this call last March in our Internal Control Baseline Report," said Auerbach, "and now is the time for action."

In a letter sent by Auerbach to legislators he says the recent revelations of formal sexual harassment complaints related to Ulster County's Corrections Division highlight the pressing need for and value of whistleblower protection.

"We in Ulster County must encourage reporting of improper governmental action when it occurs and we need to protect the individuals who do so," said Auerbach. Saying whistleblower protection is a basic to sound internal control processes, the Comptroller referenced his March 2009 Internal Control Baseline Report which found "there is room for improvement across all aspects of internal control" in Ulster County and further recommended:

**the County Legislature adopt 'whistleblower' legislation to promote a systemic approach to communicating suspected improprieties while assuring the complainant is protected from retaliation.**

The report acknowledges that "past practices in Ulster County need to be adjusted" and states that "a positive attitude toward internal control is the responsibility of all the people who participate in an organization, yet, traditionally, it is the "tone at the top" from which these attitudes originate."

“While there are Federal and New York State laws, as well as contract provisions, seeking to protect whistleblowers in particular situations,” explained Auerbach, “at a local level the County ought to set clear expectations about the responsibilities individuals have to report fraud and other forms of malfeasance and know they are protected when they fulfill those responsibilities.”

Auerbach’s letter to the Ulster County Legislature says, “It needs to be eminently clear to all employees, volunteers, contractors and students engaged in Ulster County’s business that they will not suffer retaliation for good faith reporting of violations of law, rule or regulation.” The letter also included some sample policies.

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